

STEPS FOR INTRODUCING A PHOTOGRAPH INTO EVIDENCE

1. **Mark** the photo as an exhibit
 - If the photo was not marked prior to court, approach the court clerk and ask that the photo be marked
 - “I would like to have this photograph marked for identification as State’s (or GAL’s, or mother’s, or Tribe’s) Exhibit A [or next in order]”
 - The clerk will put an exhibit sticker on the photo
2. **Show** the marked photo to all the other parties and representatives (but not the judge)
 - “I am showing other counsel and representatives Exhibit A”
3. **Ask** the judge permission to approach the witness
 - “Your Honor, may I approach the witness?”
4. **Lay the foundation** by asking questions:
 - “I am showing you what has been marked as Exhibit A for identification. Do you recognize what is shown in this photograph?”
 - “What is it?”
 - “Are you familiar with the scene [person, item, etc.] portrayed in this photograph?”
 - “How are you familiar with the scene portrayed in the photograph?”
 - “Does the scene portrayed in the photograph fairly and accurately represent the scene as you remember it on (date in question)?”
5. **Move** to admit the photograph into evidence:
 - “Your Honor, I move that State’s Exhibit A be introduced into evidence”
 - Judge will ask if there are any objections, then either allow or disallow the photo into evidence
6. (If admitted), **provide** copies of the photo to other parties and judge if they don’t already have them
7. **Use** the photo - ask witness questions about what is in the photo